

TAB 2

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**BETTY BLACK, on behalf of herself
and all others similarly situated,**

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Plaintiffs,

**Civ. A. No. 3:10-cv-1418
(Kinkeade, J.)**

v.

SETTLEPOU, P.C.,

Defendant.

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**DECLARATION IN SUPPORT OF PLAINTIFF'S MOTION
FOR ATTORNEY'S FEES AND COSTS**

I make the following declaration subject to the penalties for perjury:

1. My name is Yona Rozen. I am over the age of 18 years, of sound mind, and fully capable of making this affidavit. I am fully competent to testify to the matters stated in this affidavit, all of which is true, and of which I have personal knowledge.

2. I am a shareholder of GILLESPIE, ROZEN, & WATSKY, P.C. ("GRW"). GRW is a nine-lawyer firm practicing in Dallas, Texas, since 1990. GRW devotes its practice to labor and employment law. Although much of its work is in federal and state courts in Texas, GRW represents employees throughout the country, in cases involving national (or multi-state) class-and/or collective actions, and before the National Labor Relations Board.

3. I obtained a B.A. Degree with Honors in Political Science and History from Penn State University in 1974 and a J.D. Degree from the Vanderbilt University School of Law in Nashville, Tennessee in 1978. I was admitted to the Pennsylvania Bar in 1978 and to the Texas Bar in 1985. I am admitted to practice before the United States Supreme Court, United States Court of Appeals for the Fifth, Ninth, and Federal Circuits, the United States District Courts for

the Northern, Western, and Eastern Districts of Texas. In 1978, I was hired as a field attorney for Region 3 of the National Labor Relations Board (NLRB) and remained in that position for three years. I transferred to the position of staff attorney in the Division of Advice, at the NLRB Headquarters in 1981 and remained in that position for two years. I became an associate in the law firm of Hicks, Gillespie, James & Lesser, P.C in October, 1983 and approximately two years later became a shareholder in that firm.

4. In 1990 I became a shareholder in the firm that is now known as GILLESPIE, ROZEN, & WATSKY, P.C., with offices in Dallas, Texas. I obtained Board Certification in Labor Law (now known as Labor and Employment Law) in 1987. I have served as a member of the Executive Board of the State Bar of Texas Labor and Employment Section for several years and then as its Chair (1991-1992). I was inducted as a fellow of the College of Labor and Employment Lawyers in 2006. Throughout my legal career, my practice has predominantly involved labor and employment law since I became licensed in October 1978. I regularly write, lecture, and speak on labor and employment law issues. I have extensive civil litigation experience, with substantial experience with jury trials (over 10 as first chair), numerous bench trials, ALJ trials and hundreds of arbitrations. *Texas Monthly* and *Law & Politics* magazines have listed me as a “Super Lawyer” in Dallas (2003-2011), in 2011 in the same publications I was also listed as among the top 50 women lawyers in Texas, the top 100 lawyers in Texas and the top 100 lawyers in the Dallas-Ft. Worth area (“DFW”). In addition, I have been listed in “Best Lawyers in America” continuously since 1997.

5. In my experience and observation, it is customary for attorneys specializing in labor, employment, and civil rights litigation in DFW to work cases on a contingency basis, with a contingent amount between one third (33 1/3%) and forty percent (40%) of the recovery, in the

event of settlement or trial. I have reviewed the fee language of Ms. Black's agreement with GRW and believe that this contingent fee arrangement is reasonable and customary.

6. I am aware of the customary rates for attorneys of various skill levels specializing in the area of labor, employment, and other civil rights litigation in the Dallas-Fort Worth area. This knowledge stems both from cases in which my firm received a court-awarded attorney's fee and from my observations of other Dallas-Ft. Worth ("DFW")-area cases.

7. In addition, I have reviewed several surveys addressing the range of attorney's fees in DFW, including *National Law Journal* surveys in 2010 and 2011 and a 2010 *Texas Lawyer* survey. I am attaching relevant portions of these surveys as Exhibits A through C to this declaration. The 2010 *National Lawyer Journal* survey notes that non-equity partners in Dallas average \$452/hour, which was up 2.7% from the year before. Those same firms bill their 7th-year associates at an average rate of \$346/hour, which is 2.4% higher than the year before. Meanwhile, the *Texas Lawyer* survey reports the average billing rate for non-equity DFW partners was \$452/hour in 2010—a 2.7% gain over 2009—and \$346/hour for 7th-year associates—up 2.4% for the year. Even accounting for variables like firm size and practice area, I believe that the rates that GRW requests here are comfortably within this *average* range.

8. I believe that Mr. Gillespie's testimony that his reasonable rate is \$450/hour and Mr. Sanford's reasonable rate is \$375/hours is both reasonable and within the range of prevailing rates in DFW.

9. The requested rates are also consistent with and comparable to previous fee awards in the Northern District of Texas. As one example, the Honorable Jane Boyle awarded attorney's fees on July 27, 2010, in *Nassar v. UT Southwestern Med. Center*, No. 3:08-cv-1337-B, 2010 WL 3000877. There, the plaintiff supported his fee request with declarations from two

of his lawyers and sought an hourly rate of \$400/hour for the most junior associate, Mr. Walker, who was licensed in 2004. Judge Boyle eventually approved the requested rate for Mr. Walker. *See Nassar*, 2010 WL at *5. From my review of Mr. Walker's resume,¹ I believe that Mr. Gillespie's and Mr. Sanford's skill level and expertise are at least equal to that of Mr. Walker's, if not greater.

10. In my opinion, the result obtained for Ms. Black in this case was very favorable, even accounting for the adverse retaliation verdict. In my experience, relatively few Fair Labor Standards Act ("FLSA") cases—both overtime claims and retaliation claims—proceed through trial and judgment. I have represented FLSA plaintiffs for several decades in this city and state, and my last FLSA-based trial was in 1988, in *Dalheim et al. v. KDFW-TV* (No. 3:85-cv-0894-D), in which the Fifth Circuit affirmed judgment in 1990. *See Dalheim, et al. v. KDFW-TV*, 918 F.2d 1220 (5th Cir. 1990). Likewise, I am aware of only a handful of FLSA cases—whether overtime or retaliation—cases tried through verdict in DFW over the last decade or more. These claims involve difficult issues of proof, requiring skill, expertise and determination over the life of a case—time during which, in a contingency case, the plaintiffs' attorneys constantly bear the risk of never being paid.

11. I would like to add two additional points about unappealing aspects of cases of this sort.

a. First, the defendant in this case is a local law firm. In my experience and observation, and from discussions with other local attorneys, I believe that few other firms would opt to represent a client suing her law-firm employer. For both reasons of collegiality and business, cases against a local member of the bar are unattractive. Among other reasons, firms

¹ *See Nassar v. UT Southwestern Med. Center*, 3:08-cv-1337-B (N.D. Tex. Jun. 11, 2010)(Doc. 146-2).

like GRW meet a large share of its clientele through referrals from other law firms. By challenging a firm like SettlePou, P.C., GRW risks losing out on future referrals. GRW takes these cases because the FLSA—like many other worker-focused laws—relies on private enforcement to safeguard its important protections. But GRW’s strong belief in robust enforcement of the law nonetheless comes at some cost.

b. Second, the reasonableness of GRW’s request is further justified by the contingent-fee basis of GRW’s representation agreement with Ms. Black. GRW accepted this case—like all full contingency cases—with no guarantee of being compensated for its work. In accepting contingency cases, we anticipate that we will work on some cases for several years without any payment, if we lose. Consequently, it is vital to our practice that we be able to anticipate recovering a full lodestar when GRW prevails. If GRW and firms like it could not expect to obtain a full-lodestar recovery when they prevail, these firms could not afford to accept and litigate FLSA and other employment cases. The result would be under-enforcement of critical labor and employment laws due to workers’ inability to obtain counsel.

12. At Mr. Gillespie’s request, I reviewed the time-keeping records submitted in support of this motion. Mr. Gillespie advised me that the fee request discounts (1) paralegal time, (2) Mr. Gillespie’s time in conference with Mr. Sanford, (3) times spent pursuing the claims of opt-in plaintiff Reneé Vasquez, (4) time spent on a motion to reopen the conditional-class opt-in period, (5) Mr. Sanford’s time as a second attorney at mediation, (6) time spent on issues strictly related to the retaliation claims, and (7) a global 25% reduction to account for the split verdict. I believe that these deductions are reasonable and exhibit billing judgment. The remaining time entries appear reasonable and necessary based on my understanding of the issues in this case and the efforts necessary to pursue FLSA claims successfully through trial and judgment. A two-

attorney team reasonably can expect to log 500-750 hours over the course of a one or two plaintiff overtime case, starting with discovery and depositions, proceeding through trial, and on into post-verdict and post-judgment proceedings. I believe therefore that the 573.10 hours that GRW requests is reasonable and within the range necessary in cases of this sort.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed: February 3, 2012



The image shows a handwritten signature in black ink, which appears to read "Yona Rozen". Below the signature, the name "Yona Rozen" is printed in a smaller, clean font.

Exhibit A

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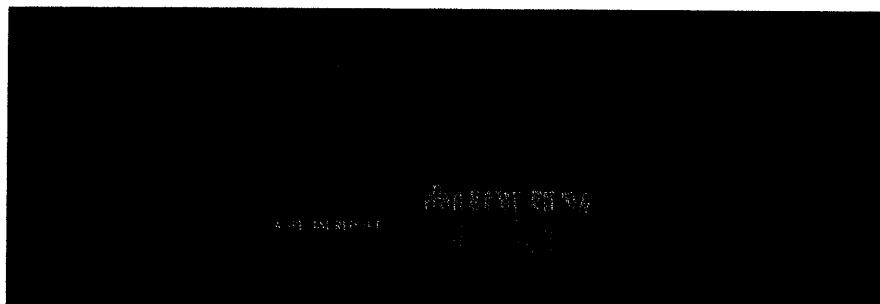
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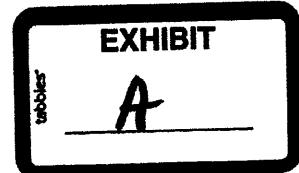
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The National Law Journal asked the respondents to its 2010 survey of the nation's 250 largest law firms to provide a range of hourly billing rates. Firms that supplied the information are listed in alphabetical order. Non-NLJ 250 firms appear separately.

See also

- [Billing rates by associate class](#)
- [Methods of alternate billing](#)
- [Revenue generated by alternate billing](#)



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Fox Rothschild	Philadelphia	472	\$407	\$415		
Frost Brown Todd	Cincinnati	404	\$279	\$280		
Gibbons	Newark, N.J.	223	\$404	\$410		
Godfrey & Kahn	Milwaukee	172				
GrayRobinson	Orlando, Fla.	250				
Greenberg Traurig	New York	1,763	\$453	\$480		
Harris Beach	Rochester, N.Y.	176				
Hiscock & Barclay	Syracuse, N.Y.	175	\$311	\$275		
Hodgson Russ	Buffalo, N.Y.	197	\$328	\$320		
Holland & Knight	Washington	942	\$418	\$425		
Holme Roberts & Owen	Denver	192	\$355	\$345		
Husch Blackwell	St. Louis	554	\$329	\$331		
Jackson Kelly	Charleston, W.Va.	161				
Jackson Lewis	White Plains, N.Y.	661	\$364	\$300		
Jones, Walker, Waechter,	New Orleans	302				
Kelley Drye & Warren	New York	325				
Kilpatrick Stockton	Atlanta	423	\$425	\$425		
Knobbe, Martens, Olson & Bear	Irvine, Calif.	266	\$432	\$415		
Lane Powell	Seattle	175	\$349	\$380		
Lathrop & Gage	Kansas City	286				
Lindquist & Vennum	Minneapolis	184	\$330	\$350		
Little Mendelson	San Francisco	764	\$372	\$355		
Locke Lord Bissell & Liddell	Dallas	642	\$486	\$515		

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LAW.COM firmwide billing rates	Partners' billing Rate: High	Partners' billing Rate: Low	Average of registered partners' billing rates	Partners' started partners' billing rates	Associate Billing Rate: High	Associate Billing Rate: Low
\$415	\$690	\$315	\$473	\$470	\$475	\$235
\$280	\$515	\$200	\$326	\$325	\$250	\$150
\$410	\$790	\$390	\$479	\$475	\$450	\$250
	\$495	\$325			\$340	\$180
	\$750	\$225			\$315	\$150
\$480	\$875	\$355	\$550	\$580	\$610	\$200
	\$500	\$275			\$250	\$140
\$275	\$650	\$195	\$348	\$305	\$440	\$150
\$320	\$665	\$230	\$374	\$370	\$410	\$175
\$425	\$850	\$300	\$499	\$495	\$480	\$185
\$345	\$635	\$285	\$415	\$410	\$530	\$170
\$331	\$804	\$230	\$357	\$375	\$415	\$171
	\$495	\$245			\$275	\$155
\$300	\$715	\$260	\$428	\$430	\$440	\$150
	\$620	\$195			\$275	\$140
	\$900	\$465			\$565	\$275
\$425	\$730	\$375	\$527	\$520	\$465	\$225
\$415	\$710	\$395	\$511	\$485	\$450	\$285
\$380	\$600	\$310	\$431	\$430	\$350	\$230
	\$490	\$255			\$265	\$180
\$350			\$415	\$410		
\$355	\$650	\$290	\$445	\$435	\$480	\$210
\$515	\$1,120	\$400	\$599	\$600	\$525	\$215

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\$473	\$470	\$475	\$235	\$298	\$290
\$326	\$325	\$250	\$150	\$189	\$190
\$479	\$475	\$450	\$250	\$289	\$275
		\$340	\$180		
		\$315	\$150		
\$550	\$580	\$610	\$200	\$332	\$350
		\$250	\$140		
\$348	\$305	\$440	\$150	\$234	\$195
\$374	\$370	\$410	\$175	\$238	\$230
\$499	\$495	\$480	\$185	\$288	\$280
\$415	\$410	\$530	\$170	\$295	\$285
\$357	\$375	\$415	\$171	\$220	\$205
		\$275	\$155		
\$428	\$430	\$440	\$150	\$282	\$275
		\$275	\$140		
		\$565	\$275		
\$527	\$520	\$465	\$225	\$320	\$320
\$511	\$485	\$450	\$285	\$332	\$335
\$431	\$430	\$350	\$230	\$278	\$275
		\$265	\$180		
\$415	\$410			\$235	\$230
\$445	\$435	\$480	\$210	\$296	\$285
\$599	\$600	\$525	\$215	\$320	\$300

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Schulte Roth & Zabel	New York	433		
Seyfarth Shaw	Chicago	704	\$377	\$375
Sheppard Mullin	Los Angeles	464		
Shumaker, Loop & Kendrick	Toledo, Ohio	210	\$331	\$350
Smith, Gambrell & Russell	Atlanta	175		
Snell & Wilmer	Phoenix	396	\$338	\$325
Stoel Rives	Portland, Ore.	368	\$381	\$395
Strasburger & Price	Dallas	181	\$336	\$351
Taft, Stettinius & Hollister	Cincinnati	286	\$315	\$315
Thompson Coburn	St. Louis	326		
Townsend and Townsend and Ulmer & Berne	San Francisco, Calif.	177	\$320	\$290
Venable	Cleveland	177		
Vedder Price	Chicago	255	\$425	\$425
Williams Mullen	Washington	494	\$484	\$495
Winstead	Richmond, Va.	300	\$368	\$340
Winston & Strawn	Dallas	264	\$395	
Womble Carlyle Sandridge & Rice	Chicago	899	\$486	\$490
Wyatt, Tarrant & Combs	Winston-Salem, N.C.	503	\$372	\$375
Non-NLJ 250 Firms	Louisville, Ky.	186		
Brinks Hofer Gilson & Lione	Chicago	149	\$435	\$435
Fowler White Boggs	Tampa, Fla.	127	\$350	\$370
Lewis, Rice & Fingersh	St. Louis	157		

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		\$820	\$495		\$620	\$270
\$350	\$540	\$250	\$366	\$365	\$315	\$185
		\$740	\$325		\$440	\$195
\$325	\$795	\$315	\$486	\$475	\$550	\$175
\$395	\$600	\$315	\$441	\$443	\$390	\$190
\$351	\$617	\$250	\$372	\$393	\$306	\$194
\$315	\$500	\$220	\$358	\$350	\$365	\$165
	\$610	\$300			\$395	\$190
\$290	\$750	\$470	\$563	\$550	\$460	\$260
		\$565	\$260		\$375	\$185
\$425	\$720	\$370	\$483	\$470	\$365	\$255
\$495	\$950	\$445	\$590	\$585	\$500	\$280
\$340	\$645	\$315	\$428	\$395	\$370	\$230
		\$655	\$340	\$462	\$390	\$215
\$490	\$1,075	\$475	\$670	\$660	\$610	\$250
\$375	\$625	\$300	\$461	\$465	\$445	\$210
		\$500	\$245		\$285	\$180
\$435	\$725	\$345	\$541	\$560	\$420	\$195
\$370	\$575	\$325	\$400	\$388	\$315	\$205
		\$460	\$260		\$315	\$150

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\$366	\$365	\$315 \$440	\$185 \$195	\$246	\$235
\$486	\$475	\$550	\$175	\$282	\$265
\$441	\$443	\$390	\$190	\$270	\$265
\$372	\$393	\$306	\$194	\$243	\$245
\$358	\$350	\$365	\$165	\$227	\$225
		\$395 \$460 \$375 \$365 \$500 \$370 \$390 \$610 \$445 \$285	\$190 \$260 \$185 \$255 \$280 \$230 \$215 \$250 \$210 \$180		
\$563	\$550	\$460 \$375	\$345	\$325	
\$483	\$470	\$365	\$326	\$325	
\$590	\$585	\$500	\$353	\$330	
\$428	\$395	\$370	\$279	\$280	
\$462		\$390	\$291		
\$670	\$660	\$610	\$393	\$375	
\$461	\$465	\$445 \$285	\$291	\$285	
\$541	\$560	\$420	\$308	\$285	
\$400	\$388	\$315 \$315	\$205 \$150	\$250	\$255

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Exhibit B

Texas Lawyer - Hourly Billing Rates

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City and Firm Size	Equity Partner 2010	Equity Partner 2009	Percent Change	Non-Equity Partner 2010
Survey Averages	\$397	\$391	1.5	\$359
CITY				
Austin/San Antonio	\$392	\$386	1.6	\$353
Dallas/Fort Worth	\$484	\$476	1.7	\$452
Houston	\$410	\$405	1.2	\$327
Other	\$272	\$271	0.4	\$224
Number of Lawyers				
100+	\$561	\$545	2.9	\$498
50-99	\$361	\$358	0.8	\$272
30-49	\$335	\$334	0.3	\$296
Less than 30	\$360	\$356	1.1	\$290

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HOURLY BILLING RATES

Non-Equity Partner 2009	Percent Change	7th-Year Associate 2010	7th-Year Associate 2009	Percent Change	6th-Year Associate 2010
\$350	2.6	\$287	\$282	1.8	\$249
\$346	2	\$284	\$280	1.4	\$241
\$440	2.7	\$346	\$338	2.4	\$298
\$317	3.2	\$278	\$271	2.6	\$257
\$225	-0.4	\$190	\$190	0	\$167
\$486	2.5	\$395	\$382	3.4	\$339
\$266	2.3	\$245	\$245	0	\$226
\$293	1	\$231	\$228	1.3	\$203
\$278	4.3	\$276	\$271	1.8	\$234

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HOURLY BILLING RATES

4th-Year Associate 2010	4th-Year Associate 2009	Percent Change	1st-Year Associate 2010	1st-Year Associate 2009	Percent Change
\$249	\$243	2.5	\$203	\$198	2.5
\$241	\$239	0.8	\$210	\$209	0.5
\$298	\$288	3.5	\$223	\$219	
\$257	\$251	2.4	\$206	\$201	2.5
\$167	\$166	0.6	\$140	\$140	0
\$339	\$327	3.7	\$260	\$259	0.4
\$226	\$224	0.9	\$191	\$191	0
\$203	\$201	1	\$160	\$157	1.9
\$234	\$228	2.6	\$194	\$186	4.3

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HOURLY BILLING RATES

1st-Year Associate 2009	Percent Change	Senior Legal Assistant 2010	Senior Legal Assistant 2009	Percent Change
\$198	2.5	\$141	\$139	1.4
\$209	0.5	\$141	\$139	1.4
\$219		\$172	\$171	0.6
\$201	2.5	\$145	\$141	2.8
\$140	0	\$87	\$90	-3.3
\$259	0.4	\$199	\$196	1.5
\$191	0	\$126	\$125	0.8
\$157	1.9	\$111	\$114	-2.6
\$186	4.3	\$125	\$121	3.3

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Exhibit C

A nationwide sampling of law firm billing rates

The National Law Journal asked the respondents to its 2011 survey of the nation's 250 largest law firms to provide a range of hourly billing rates. Firms that supplied the information are listed in alphabetical order.

FIRM NAME	PRINCIPAL OR LARGEST OFFICE	AVERAGE: FULL-TIME EQUIVALENT ATTORNEYS*	NATIONWIDE			PARTNERS			ASSOCIATES		
			AVERAGE	MEDIAN	HIGH	LOW	AVERAGE	MEDIAN	HIGH	LOW	AVERAGE
Baker, Donelson, Bearman, Caldwell & Berkowitz	Memphis, Tenn.	\$27	\$311	\$310	\$595	\$250	\$357	\$345	\$315	\$160	\$228
Bent Bent & Krieger	Riverside, Calif.	195	\$358	\$380	\$775	\$275	\$417	\$420	\$375	\$205	\$265
Briggs and Morgan	Minneapolis	185			\$625	\$325			\$305	\$230	
Broad and Cassel	Orlando, Fla.	160	\$377	\$350	\$775	\$295	\$435	\$395	\$350	\$180	\$265
Bryan Cave	St. Louis	908	\$475	\$460	\$795	\$375	\$565	\$553	\$540	\$200	\$356
Butzel Long	Detroit	176			\$700	\$325	\$440		\$425	\$225	\$274
Carlton Fields	Tampa, Fla.	270	\$397	\$400	\$815	\$320	\$470	\$470	\$380	\$195	\$262
Cozen O'Connor	Philadelphia	504	\$439	\$410	\$900	\$305	\$510	\$490	\$550	\$225	\$330
Day Pitney	Parsippany, N.J.	324	\$447	\$450	\$950	\$380	\$537	\$525	\$470	\$235	\$317
Dickinson Wright	Detroit	229			\$600	\$325			\$320	\$200	
Dickstein Shapiru	Washington	335	\$680	\$550	\$1,000	\$540	\$680	\$670	\$545	\$223	\$435
Dinsmore & Shohl	Cincinnati	407	\$308	\$295	\$630	\$150	\$373	\$370	\$310	\$130	\$217
DLA Piper	New York	3,348	\$585	\$815	\$1,120	\$530	\$747	\$730	\$730	\$320	\$510
Dorsey & Whitney	Minneapolis	567	\$426	\$405	\$810	\$295	\$526	\$525	\$465	\$190	\$294
Duane Morris	Philadelphia	629	\$503	\$500	\$875	\$375	\$575	\$570	\$530	\$225	\$365
Dykema Gossett	Detroit	333	\$406	\$400	\$665	\$310	\$482	\$485	\$395	\$260	\$309
Eptstein Becker & Green	New York	300	\$428	\$425	\$850	\$350	\$519	\$500	\$550	\$195	\$341
Fitzpatrick, Cella, Harper & Scinto	New York	168			\$730	\$460			\$525	\$440	\$275
Fox Rothschild	Philadelphia	450	\$413	\$420	\$725	\$325	\$486	\$483	\$455	\$190	\$297
Frost Brown Todd	Cincinnati	401	\$296	\$295	\$515	\$205	\$340	\$340	\$265	\$150	\$200
Gardere Wynne Sewell	Dallas	265	\$435	\$450	\$815	\$380	\$550	\$550	\$500	\$225	\$325
Gibbons	Newark, N.J.	199	\$505	\$450	\$725	\$400	\$563	\$505	\$475	\$285	\$380
Harris Beach	Rochester, N.Y.	176			\$390	\$275			\$260	\$160	
Hiscock & Barclay	Syracuse, N.Y.	174	\$269	\$240	\$750	\$195	\$304	\$265	\$350	\$150	\$207
Hodgson Russ	Buffalo, N.Y.	199			\$685	\$240	\$378	\$360	\$420	\$180	\$234
Holland & Knight	Washington	910	\$445	\$455	\$895	\$300	\$530	\$520	\$495	\$175	\$285
Hughes Hubbard & Reed	New York	300	\$633	\$615	\$990	\$625	\$828	\$800	\$695	\$270	\$533
Husch Blackwell	St. Louis	551	\$341	\$340	\$850	\$225	\$395	\$390	\$425	\$175	\$226
Jackson Kelly	Charleston, W.Va.	170	\$275	\$275	\$505	\$255	\$319	\$325	\$280	\$155	\$208
Kaye Scholer	New York	425	\$661	\$665	\$1,080	\$685	\$831	\$835	\$705	\$310	\$519
Kelley Drye & Warren	New York	321	\$474	\$400	\$925	\$480	\$634	\$645	\$595	\$275	\$425
Knobbe, Martens, Olson & Bear	Irvine, Calif.	268	\$439	\$415	\$735	\$415	\$525	\$500	\$495	\$295	\$345
Lane Powell	Seattle	180	\$405	\$425	\$645	\$340	\$460	\$450	\$360	\$225	\$285
Lathrop & Gage	Kansas City, Mo.	281	\$337	\$340	\$735	\$275	\$390	\$390	\$410	\$205	\$246
Lewis, Rice & Fingersh	St. Louis	162	\$275		\$470	\$270			\$320	\$150	
Lowenstein Sandler	Roseland, N.J.	249	\$478	\$480	\$895	\$435	\$613	\$595	\$660	\$250	\$400
Manatt, Phelps & Phillips	Los Angeles	322	\$602	\$620	\$850	\$540	\$676	\$670	\$550	\$215	\$464
McElroy, Deutsch, Mulvaney & Carpenter	Morristown, N.J.	272	\$245	\$275	\$575	\$295	\$350	\$375	\$325	\$185	\$250
McKenna Long & Aldridge	Atlanta	425	\$472	\$455	\$800	\$405	\$562	\$540	\$510	\$215	\$374
Michael Best & Friedrich	Milwaukee	208	\$321	\$310	\$650	\$245	\$413		\$310	\$205	\$241
Miller & Martin	Chattanooga, Tenn.	184	\$313	\$325	\$610	\$240	\$369	\$375	\$275	\$185	\$215
Nelson Mullins Riley & Scarborough	Columbia, S.C.	399	\$318	\$310	\$850	\$220	\$412	\$400	\$350	\$170	\$255
Nexsen Pruet	Columbia, S.C.	178			\$550	\$235			\$265	\$170	

SEE SAMPLING, PAGE 13

B

BILLING SURVEY

SAMPLING, FROM PAGE 12

FIRM NAME	PRINCIPAL OR LARGEST OFFICE	AVERAGE FULL-TIME EQUIVALENT ATTORNEYS*	FIRM SIZE	PARTNER			ASSOCIATE		
				AVERAGE	MEDIAN	HIGH	LOW	HIGH	MEDIAN
Patton Boggs	Washington	512	\$546	\$990	\$410	\$659	\$645	\$240	\$419
Pepper Hamilton	Philadelphia	459	\$450	\$825	\$380	\$557	\$460	\$235	\$344
Perkins Coie	Seattle	693	\$462	\$875	\$285	\$550	\$565	\$215	\$368
Phelps Dunbar	New Orleans	289	\$236	\$225	\$465	\$190	\$281	\$275	\$150
Folsomelli Shughart	Kansas City, Mo.	466	\$630	\$630	\$275	\$350	\$335	\$205	\$189
	Philadelphia	220	\$451	\$150	\$750	\$350	\$302	\$190	\$245
Saad Ewing	New York	446	\$615	\$630	\$935	\$770	\$846	\$490	\$775
Schulte Roth & Zabel	Chicago	762	\$137	\$425	\$740	\$355	\$326	\$195	\$344
Seyfarth Shaw	Los Angeles	465	\$600	\$600	\$965	\$725	\$675	\$385	\$688
Sheppard, Mullin, Richter & Hampton	Cleveland, Ohio	268	\$345	\$355	\$535	\$365	\$325	\$175	\$340
Shumaker, Loop & Kendrick	Portland, Ore.	373	\$395	\$395	\$625	\$320	\$451	\$225	\$341
Stoel Rives	Dallas	181	\$463	\$362	\$630	\$211	\$395	\$195	\$252
Strasburger & Price	Dallas	319	\$520	\$520	\$875	\$440	\$594	\$320	\$558
Thompson & Knight	St. Louis	325	\$750	\$750	\$315	\$197	\$332	\$195	\$250
Thompson Coburn	Cleveland	179	\$316	\$385	\$280	\$405	\$390	\$200	\$258
U. S. Law & Berne	Chicago	246	\$445	\$445	\$735	\$295	\$566	\$215	\$345
Vedder Price	Dallas	265	\$406	\$406	\$360	\$365	\$477	\$410	\$365
Winstead	Chicago	368	\$557	\$450	\$1,130	\$580	\$713	\$610	\$413
Winston & Strawn	Leedsville, Ky.	181	\$312	\$350	\$500	\$240	\$245	\$180	\$220
Wyatt, Tarrant & Combs									\$335

*Estimated numbers are from NLJ's 2010 publication in April 2011.

BILLING SURVEY

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Firms report their billing rates by associate class

Below is a sampling of hourly rates charged by law firms that establish billing rates based on associate class.

Firms that supplied this information are listed in alphabetical order.

FIRM NAME	PRINCIPAL OR LARGEST OFFICE	AVERAGE FTE ATTORNEYS*	1ST YEAR	2D YEAR	3D YEAR	4TH YEAR	5TH YEAR	6TH YEAR	7TH YEAR	8TH YEAR	9TH YEAR
Bryan Cave	St. Louis	908	\$200-\$365	\$200-\$355	\$250-\$385	\$225-\$420	\$300-\$430	\$335-\$455	\$280-\$485	\$350-\$510	
Butzel Long	Detroit	176	\$225								
Carlton Fields	Tampa, Fla.	270	\$195-\$210	\$210-\$225	\$210-\$225	\$225-\$240	\$250-\$265	\$255-\$315	\$275-\$385	\$300-\$380	
Cozen O'Connor	Philadelphia	504	\$225-\$290	\$225-\$290	\$235-\$320	\$245-\$360	\$245-\$340	\$265-\$350	\$285-\$380	\$290-\$395	
Day Pitney	Parsippany, N.J.	324	\$244	\$275	\$295	\$291	\$301	\$335	\$360	\$351	
Dickinson Wright	Detroit	229	\$195	\$205	\$210	\$220	\$235	\$245	\$255	\$265	
Dickstein Shapiro	Washington	335	\$225-\$290	\$275-\$385	\$330-\$440	\$345-\$465	\$360-\$490	\$390-\$510	\$425-\$530	\$435-\$545	
Dinsmore & Shohl	Cincinnati	407	\$185	\$195	\$210	\$225	\$235	\$245	\$255	\$265	
DLA Piper	New York	3,348	\$345	\$395	\$455	\$520	\$580	\$620	\$650	\$675	
Dorsey & Whitney	Minneapolis	567	\$238	\$253	\$260	\$297	\$305	\$336	\$370		
Duane Morris	Philadelphia	629	\$280	\$305	\$320	\$335	\$350	\$370	\$380	\$420	
Fitzpatrick, Cella, Marper & Scioto	New York	168	\$275	\$300	\$325	\$350	\$370	\$385	\$405	\$420	
Fox Rothschild	Philadelphia	450	\$220-\$235	\$230-\$265	\$240-\$285	\$240-\$285	\$245-\$300	\$270-\$345	\$190-\$410	\$260-\$425	
Frost Brown Todd	Cincinnati	401	\$150	\$165-\$185	\$175-\$185	\$180-\$235	\$190-\$230	\$190-\$240	\$185-\$260	\$200-\$265	
Gardere Wynne Sewell	Dallas	265	\$225	\$260	\$290	\$320	\$350	\$370	\$385	\$400	
Harris Beach	Rochester, N.Y.	176	\$160	\$175	\$200	\$215	\$215	\$235	\$235	\$260	
Hiscock & Barclay	Syracuse, N.Y.	174	\$175	\$175	\$195	\$195	\$205	\$205	\$205	\$220	
Hughes Hubbard & Reed	New York	300	\$350	\$450	\$510	\$540	\$570	\$600	\$615	\$630	
Jackson Kelly	Charleston, W.Va.	170	\$180	\$195	\$205	\$215	\$225	\$240			
Kaye Scholer	New York	425	\$320	\$410	\$475	\$525	\$570	\$595	\$620	\$640	
Kelley Drye & Warren	New York	321	\$305	\$305	\$350	\$380	\$420	\$450	\$470	\$500	
Knobbe, Martens, Olson & Bear	Irvine, Calif.	268	\$295	\$320	\$345	\$370	\$395				
Lane Powell	Seattle	180	\$250	\$260	\$260-\$340	\$260-\$305	\$260-\$325	\$265-\$340	\$305-\$330	\$300-\$360	
Lathrop & Gage	Kansas City, Mo.	281	\$205	\$210	\$220	\$230	\$250	\$255	\$270	\$280	
McElroy, Deutsch, Mulvaney & Carpenter	Morristown, N.J.	272	\$185	\$195	\$215	\$225	\$235	\$250	\$265	\$275	
McKenna Long & Aldridge	Atlanta	425	\$275	\$280	\$317	\$346	\$354	\$371	\$386	\$408	
Michael Best & Friedrich	Milwaukee	208	\$210	\$205-\$230	\$210-\$250	\$220-\$300	\$225-\$260	\$240-\$295	\$220-\$265	\$230-\$305	
Nelson Mullins Riley & Scarborough	Columbia, S.C.	399	\$170-\$265	\$210-\$345	\$215-\$295	\$225-\$325	\$195-\$335	\$205-\$350	\$245-\$325	\$255-\$270	
Patton Boggs	Washington	512	\$300	\$325	\$355	\$385	\$415	\$445	\$465	\$490	
Perkins Coie	Seattle	693	\$264	\$273	\$284	\$291	\$321	\$337	\$359	\$378	
Saul Ewing	Philadelphia	220	\$245-\$255	\$250-\$280	\$275-\$300	\$275-\$340	\$275-\$310	\$295-\$325	\$320-\$450		
Schulte Roth & Zabel	New York	406	\$285-\$390	\$465	\$515	\$560	\$580	\$605	\$630	\$650	
Sheppard, Mullin, Richter & Hampton	Los Angeles	465	\$275-\$340	\$340-\$440	\$380-\$490	\$410-\$525	\$435-\$555	\$460-\$580	\$485-\$610	\$505-\$635	
Shumaker, Loop & Kendrick	Toledo, Ohio	208	\$205								
Strasburger & Price	Dallas	181	\$221	\$234	\$221	\$238	\$268	\$259	\$284	\$275	
Thompson & Knight	Dallas	319	\$260-\$280	\$315	\$350	\$385	\$405	\$425	\$445	\$460	
Vedder Price	Chicago	246	\$255	\$265	\$280	\$300	\$320	\$335	\$355	\$370	
Winstead	Dallas	265	\$215	\$215	\$240	\$260	\$290	\$315	\$335	\$360	
Winston & Strawn	Chicago	368	\$350	\$375	\$400	\$435	\$470	\$500	\$525	\$550	
Wyatt, Tarrant & Combs	Louisville, Ky.	181	\$180								

* Full-time equivalent attorney numbers are from NLJ 250 published in April 2011.